

REMARKS

This paper responds to the office action dated October 28, 2008. Reconsideration of the objections/rejections set forth herein is hereby respectfully requested.

Drawings

The office action objected to the drawings in the instant application under 37 C.F.R. § 1.83(a). The applicant respectfully submits that all features of the claims, as amended herein, are shown in the drawings. Thus, the applicant requests that the objections to the drawings be withdrawn and that the case proceed to issuance.

Claims 1, 19, and 28 are amended herein to address the objections in the office action to the “starting a stabilization period” step of claim 1 and the “canceling the stabilization period” language of claim 28, as well as the step labeling objections listed on page 3 of the office action. The applicant submits that these claim amendments clarify the proper scope of the claims and cure the objections cited in the office action. Thus, the applicant requests that the objections be withdrawn and that the case proceed to issuance.

With respect to the other objections cited in the office action, the applicant responds as set forth below.

Claim 19

- Objection to “if said mobile device is in said original zone, incrementing the max return counter...” The applicant respectfully submits that this subject matter is supported by the drawings. Specifically, steps 42 and 44 of Figure 3 depict an example of the claimed subject matter.

- Objection to “checking” step. The applicant respectfully submits that this subject matter is supported by the drawings. Specifically, step 14 of Figure 3 depicts an example of the claimed subject matter.

- Objection to “performing said checking and testing steps.” The applicant respectfully submits that this subject matter is supported by the drawings. Specifically, steps 12, 14, and 42 of Figure 3 depict an example of the claimed subject matter.

Claim 28

- Objection to “if said mobile device is in said original zone, incrementing the max return counter.” The applicant respectfully submits that the claim language quoted in the office action as appearing in claim 28 is not found in claim 28. Thus, the applicant requests that the objection be withdrawn.

- Objection to “checking” step. The applicant respectfully submits that this subject matter is supported by the drawings. Specifically, step 14 of Figure 4 depicts an example of the claimed subject matter.

- Objection to “performing said checking and testing steps.” The applicant respectfully submits that this subject matter is supported by the drawings. Specifically, steps 12, 14, and 64 of Figure 4 depict an example of the claimed subject matter.

In light of the above responses, and the amendments to claims 1 and 28, the applicant respectfully submits that all subject matter in the claims of the instant application is supported in the drawings. Thus, the applicant requests that the objections to the drawings be withdrawn and that the case proceed to issuance.

Claim Objections

Claims 1-3, 14-17, 19, and 26-29 were objected to for containing various informalities. A number of these claims are amended herein to address objections set forth in the office action. With respect to the objection that claims 2 and 3 are identical, the applicant submits that, through a clerical error, the language of claim 2 was inadvertently changed in the previous office action response, even though the claim listing showed claim 2 as "Original." The claim listing contained herein corrects that clerical error, and shows that the subject matter of claims 2 and 3 indeed is patentably distinct.

In light of the amendments made to the claims, and the corrected error in the language of claim 2, the applicant submits that all of the claim objections set forth in the office action have been addressed. Thus, the applicant requests that the objections to the claims be withdrawn and that the case proceed to issuance.

Claim Rejections – 35 U.S.C. § 112

Claims 1-7 and 14-35 stand rejected under 35 U.S.C. § 112 as being indefinite. A number of the rejected claims have been amended herein in order to overcome the rejections set forth in the office action. The applicant also would like to submit the following remarks regarding some of the rejections included in the office action. The applicant respectfully submits that, in view of the claim amendments made herein and the remarks set forth below, the rejections are traversed and claims 1-7 and 14-35 are allowable and should proceed to issuance.

The office action stated that it was unclear whether the "different zone" recited in claims 1, 19, and 28 is the same as the "new zone" recited in the same claims. The applicant submits that the mobile device recited in each of the claims begins in the "original zone." At some point, the mobile device enters another zone, which is referred to as a "new zone." At some point after

the mobile device enters the “new zone,” the mobile device enters yet another zone, which is referred to as a “different zone,” in order to distinguish the “different zone” from the “new zone.” Further, it is possible within the scope of the claims for the “different zone” that the mobile device enters to be the same zone as the “original zone.”

With respect to claims 15, 17, 26, and 28, the office action stated that it was unclear what difference exists between initializing and starting a timer. The applicant submits that when a timer is initialized it is, for example, set to a default (or initial) value. Thus, if a timer were set to count downwards to zero, it might initially be set at 200 and proceed to count down in increments of one until it reached zero. Such a timer, though, might be started and stopped while it was counting. Thus, the timer might be stopped at a value of 150, only to be started again at some future time, when its next step would be to count to 149. Until the timer is initialized again, starting and stopping the timer would result in the timer counting from the previous value, rather than returning to a particular default (or initial) value.

The office action stated that it was unclear what difference exists between claims 19 and 28. The applicant respectfully submits that the claims are directed to patentably distinct subject matter. For example, claim 19 recites a max return counter while claim 28 recites a countdown timer.

In light of the claim amendments made herein, as well as the remarks set forth above, the applicant respectfully submits that the claim rejections of the pending office action are traversed. Thus, the applicant requests that the claim rejections be withdrawn and that this case proceed to issuance.

Respectfully submitted,

JONES DAY

A handwritten signature in cursive script that reads "David B. Cochran". The signature is written in dark ink and is positioned above a horizontal line.

David B. Cochran (Reg. No. 39,142)

Jones Day

North Point, 901 Lakeside Avenue

Cleveland, Ohio 44114

(216) 586-7029